

A bill for an act

relating to occupations and professions; modifying cosmetology licensing provisions; imposing fees; appropriating money; requiring rulemaking; amending Minnesota Statutes 2009 Supplement, section 155A.25.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2009 Supplement, section 155A.25, is amended to read:

155A.25 COSMETOLOGY FEES; LICENSE EXPIRATION DATE.

Subdivision 1. **Schedule.** The fee schedule for licensees is as follows:

(a) Three-year license fees:

(1) cosmetologist, manicurist, or esthetician;

(i) \$90 for each initial license; and a \$40 nonrefundable initial license application fee, for a total of \$130; and

(ii) \$60 for each renewal and a \$15 nonrefundable renewal application fee, for a total of \$75;

(2) instructor, or manager;

(i) \$120 for each initial license; and a \$40 nonrefundable initial license application fee, for a total of \$160; and

(ii) \$90 for each renewal and a \$15 nonrefundable renewal application fee, for a total of \$105;

(3) salon;

(i) \$130 for each initial license; and a \$100 nonrefundable initial license application fee, for a total of \$230; and

(ii) \$100 for each renewal and a \$50 nonrefundable renewal application fee, for a total of \$150; and

(4) school;

(i) \$1,500 for each initial license and a \$1,000 nonrefundable initial license application fee, for a total of \$2,500; and

(ii) \$1,500 for each renewal and a \$500 nonrefundable renewal application fee, for a total of \$2,000.

(b) Penalties:

(1) reinspection fee, variable;

(2) manager and owner with lapsed practitioner, \$150 each;

(3) expired cosmetologist, manicurist, esthetician, manager, school manager, and instructor license, \$45; and

(4) expired salon or school license, \$50.

(c) Administrative fees:

(1) certificate of identification, \$20;

~~(2) school original application, \$150;~~

~~(3)~~ (2) name change, \$20;

~~(4)~~ (3) letter of license verification, \$30;

~~(5)~~ (4) duplicate license, \$20;

~~(6)~~ (5) processing fee, \$10; and

~~(7)~~ (6) special event permit, \$75 per year.

Subd. 1a. **Fees disposition; appropriation.** ~~(d)~~ (a) All fees established in ~~this~~ subdivision (1) must be paid to the executive secretary of the board.

(b) The executive secretary of the board shall deposit ~~the all~~ fees except for application fees in the general fund in the state treasury.

(c) The executive secretary of the board shall deposit all application fees in the state treasury to an account credited to the Board of Cosmetology Examiners, and all money in that account is appropriated to the board, in addition to any other appropriation, for administration of the board's licensing duties.

Subd. 2. **Refunds.** Refunds shall be given in the following situations: overpayment; death or permanent disability before the effective date of a license; or an individual's ineligibility for licensure. Applicants determined ineligible to receive a license will be refunded the license fee minus any processing fee and minus any application fee this section requires.

Subd. 3. **Other licenses.** A licensee who applies for licensing in a second category shall pay the full license fee and application fee for the second category of license.

3.1 Subd. 4. **License expiration date.** (a) The board shall, in a manner determined by
3.2 the board and without the need for rulemaking under chapter 14, phase in changes to initial
3.3 and renewal license expiration dates so that by January 1, 2014:

3.4 (1) individual licenses expire on the last day of the licensee's birth month of the
3.5 year due; and

3.6 (2) salon licenses expire on the last day of the month of initial licensure of the
3.7 year due.

3.8 (b) For the purposes of this subdivision, "individual licenses" refers to licenses
3.9 described in subdivision 1, paragraph (a), clauses (1) and (2).

3.10 **Sec. 2. RULEMAKING.**

3.11 Subdivision 1. **Conforming changes.** The Board of Cosmetologist Examiners
3.12 must amend Minnesota Rules, parts 2105.0200 and 2105.0330 to conform to the license
3.13 expiration date requirements of Minnesota Statutes, section 155A.25, subdivision 4, by
3.14 specifying that individual or salon licenses expire on the last day of an individual's birth
3.15 month of the year due, or on the last day of the month of initial licensure of the year due.

3.16 Subd. 2. **Good cause exemption.** The Board of Cosmetologist Examiners must use
3.17 the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause
3.18 (3), to adopt the rules required by this section. Minnesota Statutes, section 14.386, does
3.19 not apply except as provided in Minnesota Statutes, section 14.388.